

DEAV2002/0049 US NP

REMARKS

Upon entry of the foregoing amendments, claims 1 to 4 and 6 to 30 will be pending in this patent application. Claims 1, 3, 4, and 6 have been amended, without prejudice. Claim 5 has been canceled, without prejudice.

The Action includes one rejection under 35 U.S.C. § 112, first paragraph. In view of the foregoing amendments and the following remarks, reconsideration and withdrawal of the rejection is requested respectfully.

Telephonic Interview Summary

Applicants wish to thank Examiner Peselev for the opportunity of a telephonic interview on January 31, 2006 with Applicants' representative, the undersigned. During the interview, the nature of the enablement rejection was discussed and Applicants' representative indicated that the Action appears to require Applicants to improperly limit the scope of claim 1 to that which is exemplified by the working examples. Examiner Peselev acknowledged that the law does not require Applicants to so limit their claims.

Discussion of the Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 1 to 18 stand rejected under 35 U.S.C. § 112, first paragraph, because it is alleged that Applicants' specification is not enabling with respect to the full scope of compounds encompassed by the claims. Although Applicants disagree respectfully with the allegation that the full scope of the claims is not enabled by the present specification, Applicants have amended the claims for the sole purpose of obtaining an early allowance of this application. In this regard, Applicants have defined R2 as hydrogen and R1 as hydrogen, CF₃, (C₁-C₄)-alkyl, or phenyl.

DEAV2002/0049 US NP

Support for this amendment is found, for example, at Table 1 (Examples 50 to 54), pages 32 to 33 of Applicants' specification.

Applicants reserve the right to file a continuation application directed to the canceled subject matter.

Conclusion

The foregoing is submitted as a full and complete response to the Action mailed on November 2, 2005, and the allowance of all claims is respectfully requested. If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3410.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,

Dated: February 2, 2006



Julie Anne Knight
Registration No. 48,867
Attorney for Applicants

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, New Jersey 08807-0800
Telephone: 908-231-3679
Telefax: 908-231-2626

Aventis Docket No. DEAV2002/0049 US NP